

Appl. No.: 09/943,252
Amdt. Dated: March 16, 2004
Reply to Office Action of: January 7, 2004

REMARKS/ARGUMENTS

Claims 1-16 remain in this application. Independent claims 1, 5, 9 and 12 have been amended. The foregoing claims were amended by addition of the clause

"... wherein striae planes in the sagged plate of glass material remain substantially parallel to the sagged, curved surface of the lithography element [or "... of a mirror ... " in place of --lithography element--]. This amendment is supported by the specification in paragraph [0021], lines 6-8. Consequently, applicants submit that the amendment adds no new matter to the specification.

In addition, claims 4, 8, 9 and 12 have been amended to clarify that the coefficient of expansion for the ultra low expansion glass can be positive or negative. This has been carried out by deleting the phrase "... no more than about ..." and inserting the -- $0 \pm$ --. Support for this amendment is found in the specification in paragraph [0008], line 1.

1. § 112 Rejections

The Examiner has rejected claims 8 and 16 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Claims 8 and 16 have been amended to change the spelling of "Celcius" to --Celsius-- for clarification.

2. § 102 Rejections

The Examiner has rejected claims 9 and 13 under 35 U.S.C. § 102(b) as being anticipated by Knowles U.S. Patent No. 3,930,824. Applicants traverse the rejection.

Applicants submit that this rejection is moot in view of the amendment to the claims. Knowles does not teach or suggest that when a glass plate having striae planes is sagged and used to make an element or a mirror element the striae planes in the product should be parallel or substantially parallel to the curved surface of the glass. This teaching is unique to the claimed invention. In view of this claimed difference, applicant submits that the claims are patentable over the cited art.

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3. § 103 Rejections

The Examiner has rejected claims 1 – 8, 10 – 12, and 14 – 16 under 35 U.S.C. § 103(a) as being unpatentable for obviousness over Knowles in view of Nguyen et al (U.S. Patent No. 6,048,652).

The Examiner asserts that Knowles teaches mirrors and mirror manufacturing using grinding, sagging and polishing steps, and that Nguyen teaches the use of low expansions glasses such as those already known and produced by hydrolysis techniques. Applicants traverse the rejection.

Applicants submit that this rejection is moot in view of the amendment to the claims. Neither Knowles or Nguyen, alone or in combination, teach or suggest that when a glass plate having striae planes is sagged and used to make an element or a mirror the striae planes in the product should be parallel or substantially parallel to the curved surface of the glass. This teaching is unique to the claimed invention. In view of this claimed difference, applicant submits that the claims are patentable over the cited art.

4. Claim of Priority

Applicants thank the Examiner for acknowledgement of claim for domestic priority under 35 U.S.C. §119(e).

Based upon the above amendments, remarks, and papers of records, applicants believe the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Applicants believe that no extension of time is necessary to make this Reply timely. Should applicants be in error, applicants respectfully request that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

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Please direct any questions or comments to Walter M. Douglas at 607-974-2431.

16 March 2004
Date

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8	
I hereby certify that this paper and any papers referred to herein are being transmitted by facsimile to the U.S. Patent and Trademark Office at 703-872-9306 on:	
<u>16 March 2004</u> Date	
<u>Walter M. Douglas</u> Walter M. Douglas	<u>16 Mar '04</u> Date

Respectfully submitted,
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